FEDERAL COURTS — RELATION OF STATE AND FEDERAL COURTS — STATE PRACTICE OR A FEDERAL RIGHT. — An interstate passenger sued in a state court for baggage lost. The railroad, over objection, introduced a copy of the schedules of limited liability filed with the Interstate Commerce Commission. The copy was not properly authenticated. The court allowed full recovery, erroneously ruling that the schedules did not limit the liability of the railroad. The state appellate court held there was no prejudice in the ruling since the schedules were not properly in evidence, and could not be considered on the appeal. On review to the United States Supreme Court the railroad seeks a new trial claiming violation of a federal right. *Held*, that there must be a new trial. *New York, etc. R. Co.* v. *Beaham*, 242 U. S. 148.

On writs of error from the Supreme Court to a state court the scope of its review is confined to so-called federal questions. See *Martin* v. *Hunter's Lessee*, 1 Wheat. (U. S.) 304. So the decision of a state court upon a question of state practice without more cannot be reviewed by the Supreme Court. *Ludeling* v. *Chaffee*, 143 U. S. 301. Thus the denial of a second opportunity to submit evidence was held to involve no federal question but merely a question as to state practice. *Thorington* v. *Montgomery*, 147 U. S. 490. It might well be that a federal question would be raised where a rule of state practice was so arbitrary as practically to deny an opportunity for asserting a substantive federal right. But such is not true of the practice in the principal case. The rule there, of considering on review only the competent evidence in the record, seems a common mode of procedure. See *Lee* v. *Missouri Pacific Ry. Co.*, 67 Kan. 402, 73 Pac. 110; *Nance* v. *Oklahoma Fire Ins. Co.*, 31 Okla. 208, 120 Pac. 948; *Huntington National Bank* v. *Loar*, 51 W. Va. 540, 41 S. E. 901. Nor does the fact that the railroad has not a second chance to prove its right seem to make the procedure unreasonable or arbitrary.

HOMESTEAD — RIGHT OF JUDGMENT CREDITOR AGAINST WIFE WHO BUYS IN AT FORECLOSURE SALE — EQUITABLE RELIEF AGAINST MERGER — RIGHTS OF MINOR CHILDREN. — A husband and wife joined in the execution of a note, and a deed of trust upon the homestead to secure it. They jointly executed another note, unsecured, to the plaintiff who secured a judgment thereon, after the husband's death. Later the deed of trust was foreclosed, and the widow bought in the land at the sale. Then the plaintiff had an execution issue against the land, but the sheriff set the land off as the homestead of the widow and her minor children. This was an appeal from the overruling of a motion to quash the sheriff's return. *Held*, that the judgment be affirmed. *McMichaels* v. *Reece*, 190 S. W. 51 (Mo. App.).

Homestead rights are purely statutory. *Adams* v. *Adams*, 183 Mo. 396, 82 S. W. 66; *Sayers* v. *Childers*, 112 Iowa, 677, 84 N. W. 938. The Missouri statutes provide for the ordinary homestead exemption in the head of the family, surviving in his wife and minor children. This is subject to general debts incurred before the acquisition of the homestead, but not to those incurred thereafter. See REV. STAT. MISSOURI 1909, ch. 56. In the principal case, upon the death of the husband, the widow took a vested estate for life during widowhood, and the minor children each a vested term for years during infancy. *Brewington* v. *Brewington*, 211 Mo. 48, 109 S. W. 723. See *Gore* v. *Riley*, 161 Mo. 238, 61 S. W. 837; *Linville* v. *Hartley*, 130 Mo. 252, 32 S. W. 652. These estates were subject, however, to the deed of trust executed by the husband and wife jointly. *Newton* v. *Newton*, 162 Mo. 173, 61 S. W. 881; *Gladney* v. *Sydnor*, 172 Mo. 318, 72 S. W. 554. But they are not subject to the unsecured indebtedness to the plaintiff, incurred after the homestead was acquired. See REV. STAT. MISSOURI 1909, § 6708; *Acreback* v. *Myer*, 165 Mo. 685, 65 S. W. 1015; *Osborne & Co.* v. *Evans*, 185 Mo. 509, 84 S. W. 867. Nor did the rendition of a judgment create a lien upon the homestead property. *Burton* v. *Look*, 162 Mo.